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PTO/SB/21 (6-99)

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Total Number of Pages in This Submission

Application Number	10/619,754
Filing Date	July 14, 2003
First Named Inventor	Hans KOLL et al.
Group/Art Unit	1651
Examiner Name	Unassigned
Attorney Docket Number	39766-0114A

ENCLOSURES (check all that apply)

- | | | |
|--|---|--|
| <input type="checkbox"/> Fee Transmittal Form | <input type="checkbox"/> Assignment Papers
<i>(for an Application)</i> | <input type="checkbox"/> After Allowance Communication to Group |
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| <input type="checkbox"/> Version with Markings Showing Changes | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Status Letter |
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<i>(please identify below):</i> |
| <input checked="" type="checkbox"/> Information Disclosure Statement and PTO-1449 (with <u>3</u> references cited, <u>2</u> submitted) | <input type="checkbox"/> Terminal Disclaimer | <input type="checkbox"/> Stamped return postcard |
| <input type="checkbox"/> Response to Missing Parts/ Incomplete Application | <input type="checkbox"/> Small Entity Statement | |
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| | Remarks | |
- AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT 08-1641 FOR ANY FEES DUE IN CONNECTION WITH THIS PAPER (Reference Atty. Docket No. 39766-0114A)

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Firm or Individual name	GINGER R. DREGER, Reg. No. 33,055, HELLER EHRLMAN LLP		
Signature			
Date	Janauary 17, 2006	Customer Number:	25213

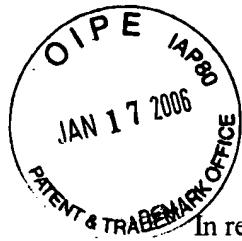
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:) Examiner: Unassigned
Hans KOLL, et al.)) Group Art Unit: 1651
Application Serial No. 10/619,754)) Attorney's Docket No. 39766-0114A
Filed: July 14, 2003)) Customer No. 25213
For: **METHODS FOR IDENTIFYING**)
TUMORS THAT ARE RESPONSIVE)
TO TREATMENT WITH ANTI-)
ErbB2 ANTIBODIES)

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DATE MAILED: JANUARY 17, 2006

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97

MAIL STOP: AMENDMENT

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Alexandria, Virginia 22313-1450

Sir:

Listed below or on an attached Form PTO-1449 is information known to applicant(s). A copy is provided of each foreign patent, each publication other than U.S. patents and U.S. patent application publications, and each cited pending unpublished U.S. application pursuant to 37 C.F.R. §§1.97-1.98.

Applicants respectfully request that the listed information be considered by the Examiner and be made of record in the above-identified application. As form PTO-1449 is enclosed, the Examiner is requested to initial and return it in accordance with MPEP §609.

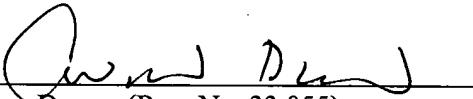
This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in §1.56.

This statement qualifies under 37 C.F.R. §1.97, subsection (b) because (check all that apply):

- (1) It is being filed within 3 months of the application filing date and is other than a continued prosecution application under § 1.53(d)
-- OR --
- (2) It is being filed within 3 months of entry of a national stage
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- (3) It is being filed before the mail date of the first Office Action on the merits
-- OR --
- (4) It is being filed before the mailing of a first Office Action after the filing of a request for continued examination under § 1.114.

- 37 C.F.R. §1.97(c). If this statement is being filed after the latest of: (1) three months beyond the filing date of a national application; (2) three months beyond the date of entry of the national stage as set forth in §1.491 in an international application; or (3) the mailing date of a first Office action on the merits, but before the mailing date of the earlier of a final office action under §1.113 or a notice of allowance under §1.311, then:
- a certification as specified in §1.97(e) is provided below; or
- a fee of **\$180.00** as set forth in §1.17(p) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.
- 37 C.F.R. §1.97(d). If this statement is being filed after the mailing date of the earlier of a final office action under §1.113 or a notice of allowance under §1.311, but before payment of the issue fee, then:
- A. a certification as specified in §1.97(e) is completed below; and
- B. a petition under 37 C.F.R. §1.97(d) requesting consideration of this statement is submitted herewith; and
- C. a fee of \$180.00 as set forth in §1.17(i)(1) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.
- Fee Authorization.* The Commissioner is hereby authorized to charge the above-referenced fees of **\$0.00** and charge any additional fees or credit any overpayment associated with this communication to Deposit Account No. **08-1641 (Attorney's Docket No. 39766-0114A)**.

Respectfully submitted,

By: 
Ginger Dreger (Reg. No. 33,055)

Dated: January 17, 2005

HELLER EHRMAN LLP
275 Middlefield Road
Menlo Park, California 94025-3506
Telephone: (650) 324-7000 / Facsimile: (650) 324-0638

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1/13/06 4:26 PM (39766.0114)



**INFORMATION DISCLOSURE
STATEMENT**

PTO-1449

ATTY. DOCKET NO.:

39766-0114A

SERIAL NO.:

10/619,754

APPLICANT : Hans KOLL, et al.

FILING DATE: July 14, 2003

GROUP: 1651

U.S. PATENT DOCUMENTS

EXAMINER'S INITIALS	PATENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE
	US 2004/0132097 A1	07/18/2004	Sarah Bacus, <i>et al.</i>	436	7.1	

FOREIGN PATENT DOCUMENTS

EXAMINER'S INITIALS	PATENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
	WO 2004/000102 A2	12/31/2003	PCT	A61B		<input type="checkbox"/>	<input checked="" type="checkbox"/>
	WO 2004/053497 A2	06/24/2004	PCT	G01N	33/574	<input type="checkbox"/>	<input checked="" type="checkbox"/>

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

EXAMINER	
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.